Rec'd PET/PTO 20 JUN 2005 10/539814

06/17/2005 10:43 FAX 540 231 4574

VA TECH ESM

2002

Attorney Docket No. 00852-03

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for the National Stage of PCT/US2003/040670.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

Musculoskeletal Dynamics Assessment Under Weight-Bearing Conditions

SPECIFICATION IDENTIFICATION

The specification of which was filed on <u>22 December 2003</u> as PCT International Application No. <u>PCT/US2003/040670</u>.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56.

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER 60/435,137

FILING DATE / 12/20/2002

(Declaration and Power of AttorneyBPage 1 of 2)

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2003

Attorney Docket No. 00852-03
POWER OF ATTORNEY
I hereby appoint the practitioners associated with Customer No. 34444 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.
CORRESPONDENCE ADDRESS
Please direct all correspondence to the address associated with Customer No. 34444.
DECLARATION
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.
SIGNATURES
Kevin P. Granata Inventor's signature Date 17/05 Country of Citizenship US Residence Blacksburg, Virginia, United States Post Office Address 3101 Alice Drive, Blacksburg, VA 24060 US
Steven M. Zinder
Inventor's signature Date Country of Citizenship US Residence Orange California United States

(Declaration and Power of AttorneyBPage 2 of 2)

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Post Office Address 5931 E. Rocking Horse Way #22, Orange, CA 92869 US

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CSUF

10/539814 PAG

02

Attorney Docket No. 00852-03

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for the National Stage of PCT/US2003/040670.

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FILING DATE 12/20/2002

(Declaration and Power of AttorneyBPage 1 of 2)

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PAGE 03

Attorney Docket No. 00852-03
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CORRESPONDENCE ADDRESS Please direct all correspondence to the address associated with Customer No. 34444.
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.
SIGNATURES
Kevin P. Granata
Inventor's signature Date Country of Citizenship US Residence Blacksburg, Virginia, United States Post Office Address 3101 Alice Drive, Blacksburg, VA 24060 US
Inventor's signature Country of Citizenship US Residence Orange, California, United States Post Office Address 5931 E. Rocking Horse Way #22, Orange, CA 92869 US

(Declaration and Power of AttorneyBPage 2 of 2)

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Attorney Docket No. 00852-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE U. S. RECEIVING OFFICE

 Applicant:
 Kevin P. Granata, et al.
 }
 Customer No.
 34444

 International
 }
 Art Unit:
 Unknown

 Serial No.
 PCT/US2003/040670
 }
 Examiner:
 Unknown

Filing Date: 12 December 2003

Title: Musculoskeletal Dynamics Assessment Under Weight-Bearing Conditions

Certificate of Mailing Under 37 CFR §1.10 Express Mail No. ER 689 350 032 US

I hereby certify that this correspondence is being deposited with the United States Postal Service using Express Mail Service under 37 C.F.R. §1.10 on the date indicated below and is addressed to Mail Stop PCT, U.S. Receiving Office, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: June 20, 2005

STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR §1.27 (a)(3)(C))

Mail Stop PCT U.S. Receiving Office Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Dear Sir:

With respect to the captioned invention, I hereby state that I am an official empowered to act on behalf of the University of Virginia Patent Foundation, a nonprofit organization, and that the University of Virginia Patent Foundation is Tax Exempt Under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3)) and that the nonprofit organization identified above qualifies as a nonprofit organization, as defined in 37 CFR §1.27(a)(3)(C), for purposes of paying reduced fees under §§41(a) and (b) of Title 35, United States Code.

I hereby state that rights under contract or law remain with and have been conveyed to the University of Virginia Patent Foundation.

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Attorney Docket No. 00852-03 International Application Serial No. PCT/US2003/040670 Page 2 of 2

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §§1.27(g)(2)).

Respectfully submitted,

June 20, 2005

Robert J. Decker, In-House Patent Counsel University of Virginia Patent Foundation 250 West Main Street, Suite 300

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